

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 11-19 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Van Erden (US 2002/0052281).

Van Erden discloses a method of making a reclosable bag. As shown in Figs. 2 and 4, zipper lengths 10 are continuously fixed to film 32. These zipper lengths comprise slider 14 and interlocking members 20 and 24. The film 32 is fed around tube 38 of form/fill/seal machine 34. Heat seal bars 40 longitudinally seal the film 32 and zipper 10 together. Zipper flanges may be provided with adhesive to facilitate sealing with the heat seal bars 40. Heat seal jaws 52 transversely seal and sever the packages 46 after the packages have been filled. See paragraphs [0035]-[0042].

3. Claims 11 and 15-17 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Yeager et al (US Patent 6,652,436).

Yeager discloses a method of making a reclosable bag. As shown in Fig. 6, interfittable fastener assemblies 22 are applied to film 50. The film 50 is wrapped around collar 62 and sealed along seam 12 by heat seal bar 66. Slider 26 is applied by

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mechanism 68 and seal bars form the top and bottom seals 18 and 20 of each package

10. Finally a suitable cutting mechanism cuts the individual package after it has been form, filled and sealed. See col. 5, line 45 through col. 8, line 62 and Figs. 1-3 and 6-7.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 13-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13, line 6, "one longitudinal seams" should be changed to – one longitudinal seam --.

Claim 14, line 3, "the transverse seam" lacks antecedent basis in the claims.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sells whose telephone number is (571)272-1237. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Phil Tucker can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/James Sells/
Primary Examiner, Art Unit 1745